

**JENKINS, WILSON, TAYLOR & HUNT, P.A.****PATENT ATTORNEYS**

SUITE 1200 UNIVERSITY TOWER  
3100 TOWER BOULEVARD  
DURHAM, NORTH CAROLINA 27707  
TELEPHONE: (919) 493-8000  
FACSIMILE: (919) 419-0383

**RECEIVED  
CENTRAL FAX CENTER**

**DEC 29 2006**

WEBSITE: WWW.JENKINSWILSON.COM

**DATE:** December 29, 2006

**TO:** USPTO - ATTN: RCE

**FAX NO.:** (571) 273-8300

**FROM:** Arles A. Taylor, Jr., Reg. No. 39,395

**RE:** Serial No. 10/721,525; Our Ref. No. 421/60/21/2

NUMBER OF PAGES TO FOLLOW: 2

If transmission is poor, or if you do not receive all pages,  
please call (919) 493-8000 as soon as possible.

**COMMENTS:** Please charge any fees to Deposit Account No. 50-0426. If you have any questions, please do not hesitate to contact us. Thank you.

The information contained in this facsimile message is **ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION** intended only for the use of the individual or entity named as recipient. If the reader is not the intended recipient, be hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by phone and return the original message to us at the address shown above via the U.S. Postal Service. Thank you.

RECEIVED  
CENTRAL FAX CENTER

DEC 29 2006

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

*Lynda Pixley*  
Lynda Pixley  
Date of Signature December 29, 2006

JENKINS  
WILSON  
TAYLOR  
& HUNT

patent attorneys  
December 29, 2006

RICHARD E. JENKINS

JEFFREY L. WILSON

ARLES A. TAYLOR, JR.

GREGORY A. HUNT

BENTLEY J. OLIVE

CHRIS PERKINS, PH.D.

JAMES DALY IV, PH.D.

ASHLEY DARDEN

DAVID M. SIGMON

WESLEY A. SHEFFIELD

SCOTT C. MAYHEW

KIRBY A. TURNER

PATENT AGENT

JAY KLINCK

TECHNICAL SPECIALIST  
AMY ODENBAUGH, PH.D.

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/721,525 for  
DICATIONIC 2,6-DIARYLFURAN AZA-ANALOGS AS ANTI-  
PROTOZOAN AGENTS  
Our Ref. No. 421/60/21/2

Sir:

Please find enclosed the following:

1. Request for Continued Examination (RCE) Transmittal (1 page).

Applicants submitted a Petition to Withdrawal the above-identified U.S. patent application from issue after the payment of the issue fee on December 6, 2006. This Petition was granted on December 11, 2006. This Petition was made pursuant to 37 CFR §1.313(c)(1). It is respectfully submitted that the submission of a Request for Continued Examination (RCE) is not required in conjunction with 37 CFR §1.313(c)(1) in view of the alternative bases set forth within this rule.

Examiner Davis of the U.S. Patent and Trademark Office suggested in a telephone conversation on December 18, 2006 that the submission of an RCE was needed to continue prosecution of the application after granting of the referenced Petition to Withdrawal. While Applicants do not find basis for an RCE submission in 37 CFR §1.313(c)(1), in an effort to expedite prosecution of the subject U.S. patent application, an RCE is submitted herewith. Examiner Davis is invited to contact the undersigned patent attorney with any questions.

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR &amp; HUNT, P.A.

*Arles A. Taylor, Jr.*  
Arles A. Taylor, Jr.  
Registration No.: 39,395  
Customer No: 25297

AAT/ALO/ljp

Attachment

tel 919.493.8000

Jenkins, Wilson, Taylor &amp; Hunt, P.A. University Tower, Suite 1200 | 3100 Tower Boulevard | Durham, North Carolina 27707

DEC 29 2006

PTO/SB/30 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Request for Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/721,525
	Filing Date	November 25, 2003
	First Named Inventor	Boykin
	Art Unit	1614
	Examiner Name	Davis, Z.N.
	Attorney Docket Number	421/60/21/2

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☒ Other Please consider Amendment B filed December 6, 2006
  - ☐ Enclosed
    - ☐ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☐ Other \_\_\_\_\_
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-0426
    - ☒ RCE fee required under 37 CFR 1.17(e)
    - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
    - ☐ Other \_\_\_\_\_
  - ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed
  - ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>Aries A. Taylor, Jr.</i>	Date	December 29, 2006
Name (Print/Type)	Aries A. Taylor, Jr.	Registration No.	39.396

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Signature	<i>Lynda Pixley</i>	Date	December 29, 2006
Name (Print/Type)	Lynda Pixley		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.